

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TONY SMITH,

Plaintiff,

v.

E-BACKGROUNDCHECKS.COM,
INC.,

Defendant.

CIVIL ACTION NO.

1:13-cv-02658-RGV

ORDER

The Court has reviewed the Consolidated Pretrial Order submitted by the parties, [Doc. 66], and **IT IS HEREBY ORDERED** that it is approved and constitutes the pretrial order in the above captioned case and supersedes the pleadings, which are hereby amended to conform thereto, and the pretrial order shall not be amended except by Order of the Court to prevent manifest injustice. Any attempt to reserve a right to amend or add to any part of the pretrial order shall be invalid and of no effect and shall not be binding upon any party or the Court, unless specifically authorized in writing by the Court. Defendant's request for a bifurcated trial is **GRANTED**.

The jury trial of this case is scheduled to commence on June 8, 2015, at 9:30 a.m. in Courtroom 2022, United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia. Therefore, the Court sets the following pretrial schedule.

The parties shall file any motions *in limine* by May 20, 2015, and responses to any motions *in limine* shall be filed by May 27, 2015. Any reply shall be filed by June 2, 2015.

The parties shall provide to the undersigned a complete set of their marked exhibits, final witness and exhibit lists, and objections, if any, to the opposing party's exhibit and witness lists by May 29, 2015. Any objections to the designations of deposition testimony set forth in the consolidated pretrial order, and any counter-designations, shall be filed by May 29, 2015.

The parties shall file their proposed requests to charge by June 1, 2015. The parties shall use the Eleventh Circuit Pattern Jury Instructions, and if there is no appropriate Eleventh Circuit charge, they shall cite authority for any alternative requested charge.

The Court will conduct a final pretrial conference on June 4, 2015, at 2:00 p.m. in Courtroom 2022, United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia. At this conference, the Court will consider any outstanding pretrial issues and discuss trial procedures with the parties.

SO ORDERED, this 6th day of May, 2015.



RUSSELL G. VINEYARD
UNITED STATES MAGISTRATE JUDGE